



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

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## INFORMATION FOR INCIDENT MANAGEMENT TEAMS 2005 FIRE SEASON

The New Mexico Forestry Division is responsible for fire suppression on non-federal, non-municipal (state and private) lands. The following information is provided for Incident Management Teams (especially the Finance Section) working on fires that involve New Mexico Forestry Division resources. The information serves as the default. In the event that rules change, then the best available information should prevail.

### ADDRESSES FOR FORESTRY DIVISION OFFICES

Copies of the fire package should be provided to the host district office at close-out. Copies of cost share information and ICARs should also be sent to the main office.

<b>Main Office: EMNRD-Forestry Division</b> 1220 South St. Francis P.O. Box 1948 Santa Fe, NM 87504 (505) 476-3325	<b>Chama District: Forestry Division</b> HC75, Box 100 Chama, NM 87520 (505) 588-7831
<b>Cimarron District: Forestry Division</b> P.O. Box 5 Ute Park, NM 87749 (505) 376-2204	<b>Socorro District: Forestry Division</b> HC32, Box 2 1701 Enterprise Socorro, NM 87801 (505) 835-9359
<b>Las Vegas District: Forestry Division</b> HC 33, Box 109 #4 Las Vegas, NM 87701 (505) 425-7472	<b>Capitan District: Forestry Division</b> P.O. Box 277 Capitan, NM 88316 (505) 354-2231
<b>Bernalillo District: Forestry Division</b> P.O. Box 458 Bernalillo, NM 87004 (505) 867-2334	<b>Inmate Work Camp: Forestry Division</b> Central Minimum Unit 3201 Highway 314 SW Los Lunas, NM 87031 (505) 865-2775

Forestry Division ♦ 1220 South St. Francis Drive ♦ Santa Fe, New Mexico 87505

Phone: (505) 476-3225 ♦ Fax: (505) 476-3330 ♦

<http://www.emnrd.state.nm.us/forestry/fire/fire.cfm>

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## **Cost Apportionment Agreements**

There is a master joint powers agreement between the state and federal agencies. A Cost Apportionment Agreement should be developed if lands of multiple jurisdictions are involved in the incident. Contact the Santa Fe office for a model of the agreement. If one or more agencies have a very small portion of the fire, the joint powers agreement section 34 allows for exclusions. If all parties agree to this, an Apportionment Agreement needs to be developed for the fire package.

A copy of the Cost Apportionment Agreement should be in the finance file provided to the state at close-out. The financial file should be provided to the State Forestry District office that supported the incident. A copy of the Apportionment Agreement and ICARS should also be provided to the main office in Santa Fe. The pro-rata acreage used for cost sharing fires is based on the final GIS or GPS map. In general, the state will bill the federal agencies for their share of the costs and the federal agencies will bill the state for its share of the costs.

For a number of cost tracking reasons, teams should keep federal billing codes separate for "Complex" fires. Apportioning indirect resource costs on "Complex" fires can become a serious challenge.

ICARS data is very important to the Forestry Division. It establishes the amount of Disaster Declarations needed to fund the fire suppression effort. It is also needed for FEMA advances. The Division prefers the data be separated in the following "divisions" by the Cost Unit:

Aircraft	Overhead
Crews	Supplies
Equipment	Support

The Cost Apportionment Agreements are applicable only for fire suppression costs. The Forestry Division does not have authority to fully rehabilitate burned private lands. The Division does rehabilitate dozer and hand lines or other ground disturbing activities associated with fire suppression.

## **Forestry Division Regular Employees' Time Keeping**

The Forestry Division recognizes federal Emergency Firefighter Time Reports (OF-288) for payment. Employees often carry the Division's overtime reports. Either way, the employee will submit their time documents back to their office for processing.

Commissary issues should not be entered on the bottom of the Emergency Fire Time Reports as is customary for Federal Employees. The state does not have a reliable process for deducting issues from pay. If commissary is needed, Division employees must pay the commissary directly.

Similar to federal agencies, it is critical that state employees submit time reports to their office every other Friday. The difference is that the state's timesheet day is one week off from the federal timesheet day. The Finance Section is requested to facilitate transmittal of Forestry Division time if possible, including using fax machines.

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## **Forestry Division's Cooperating Resources**

The Forestry Division has joint powers agreements addressing wildland fire suppression with all counties in New Mexico. There are also agreements with most municipalities in the state. Annually, the Division publishes the rates for firefighting services and fire suppression equipment. (The host District office may provide that information. The information is useful for the Cost Unit to use in their projections, but as indicated in paragraph three below, should not be used to develop Emergency Equipment Rental Agreements, etc.) The fire departments fight many fires on behalf of the state but they are not state employees. The fire departments are instructed to complete a Forestry Division "Fire Reimbursement" form upon return to their station. That form is sent to the respective District office. They base their payment requests on Crew Time Reports, Daily Use Records and Shift Tickets provided by the Equipment Time recorder. They may take a copy, while the original should be sent to the host District office.

The rates the Division pays fire departments are based on their providing fuel and oil. However, it is expected that fire departments will occasionally be required to re-fuel while on the fire. Please provide the District office a copy of fuel issues records and a note that shows what amount to deduct from their payment.

Except for the following exceptions, Incident Management teams should not develop Emergency Equipment Rental Agreements, Invoices or Emergency Firefighter Time Reports for fire departments. This is to prevent accidental double payments by both the state and federal agencies.

Counties and Municipalities carry medical insurance for their personnel, however the Division routinely pays transport and hospital/doctor visits for minor injuries similar to Agency Provided Medical Care (APMC). The Division requests pre-use inspections from ground support if possible to help validate damage claims after the fire. However, normal wear and tear are not considered reimbursable. These fire departments must be linked to the team as quickly as possible. We want them to check in at plans, to be listed on Incident Action Plans, to be provided logistical support and to have communications. They should follow standard check-in and demobilization procedures if possible.

The Forestry Division has developed special contractual agreements with certain Fire Departments to provide long-range structural protection on large incidents. They are called Resource Mobilization Plan (RMP) resources. They have specific resource orders and are red carded. They should be checked-in and inspected by Ground Support if possible. The Procurement Unit may use the existing JPA to determine rates. These rates differ from other Rural Fire Departments. The RMP crew leaders or the host district office should be able to provide the correct cost information. Crew Time Reports and Emergency Firefighter Time Reports are to be completed. W-9 and I-9s should be on-file at District offices. Shift Tickets and Invoices should be developed. The RMP crew leader should be given all financial documents to take back to the District for payment.

Increasingly, the Forestry Division is pre-positioning contract engines from places including Washington and Oregon. They have Emergency Equipment Rental Agreements with the sending units in those areas. The team should complete all use and time records and invoices. If the fire is pure state jurisdiction, generally the envelopes would go back to the District. If the Fire is federal or if it has a payment team, then the invoices could be paid directly.

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The State Police that provide traffic control and evacuation support and local Emergency Management Centers are responsible for, traffic control, evacuation and recovery efforts. Fire teams should not develop pay documents unless specifically instructed. In the event a fire has a FEMA grant, the State Police may apply for financial reimbursement from FEMA.

### **WFSA and Delegation of Authority**

If a fire is on multiple jurisdictions and involves the New Mexico Forestry Division, it is critical that a Forestry Division representative be present and participatory in the Wildland Fire Situation Analysis process and strategy decisions. If the fire is only on Federal land, all parties should use discretion in deciding the State's participation. Basically, the State should not delegate authority to the team if the fire is not eminently threatening to burn private land.

### **Federal Emergency Management Agency**

When fires threaten or burn a certain number of homes, the state requests a Fire Management Agreement grant from FEMA. The incident period generally begins when the grant is issued but may be rolled back to the beginning of the incident. FEMA establishes the closing of the grant based on the point that the fire is no longer a threat. Generally, this is computed to be when the fire is called controlled. Too early of a control date will create more non-reimbursed costs to the state. FEMA issues the grant for a specific fire incident. Fires that are handled as a complex must break out costs separately for FEMA. Finally, FEMA requires the billing on the grant within 180 days from the time the fire is controlled. All participating federal agencies are asked to get their financial information submitted as quickly as possible to allow the state to request the reimbursement from FEMA.

Often times the Finance Section or the Public Information Officers are inundated with requests from homeowners wanting to know how FEMA is going to make them whole for the loss of their home. The Cerro Grande fire of 2000 involved a special appropriation by Congress for homes destroyed in that fire, and FEMA was delegated the responsibility of managing those appropriations. The Cerro Grande Fire was definitely an exception. When the Forestry Division is awarded a grant under Fire Management Assistance within FEMA, the grant provides for reimbursement of 75% of qualifying suppression costs to the Division or other qualifying state or local governmental agencies. The first recourse that homeowners should take is to contact their insurance agent. Secondly, they could contact the Office of Emergency Services and Security, within the Department of Public Safety, at (505) 476-9600, to see if FEMA would have low interest loans available to assist them with. In most cases FEMA assistance is not available to homeowners.